

Declaratory
Improvement Res. No. 803

for the vacation of the second
alley west of the Leesburg Road
and south of Montclair Ave. as
platted in Montclair Place
Addition to the City of Fort
Wayne, Indiana

Resolution Adopted:

September 8, 1949

Confirmed:

January
ALL ACTION REBOINDED 3/1950

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

For the Vacation ~~Opening~~ ~~Condemnation~~ ~~of right of way for utility purposes~~ of the second alley west of the Leesburg Road and south of Montclair Avenue as platted in Montclair Place Addition to the City of Fort Wayne, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the second alley west of the Leesburg Road and south of Montclair Avenue as platted in Montclair Place Addition to the City of Fort Wayne, Indiana.

ALL ACTION RESOINDED

January 31, 1950

All as shown by a plan of such proposed ~~Opening~~ - Vacation - ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation - ~~Opening~~ - ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation - ~~Opening~~ - ~~Condemnation of right of way for utility purposes~~ is described as follows:

All lots and lands bordering on Montclair Avenue from the west property line of the Leesburg Road to the west property line of Doswell Avenue

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by/above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

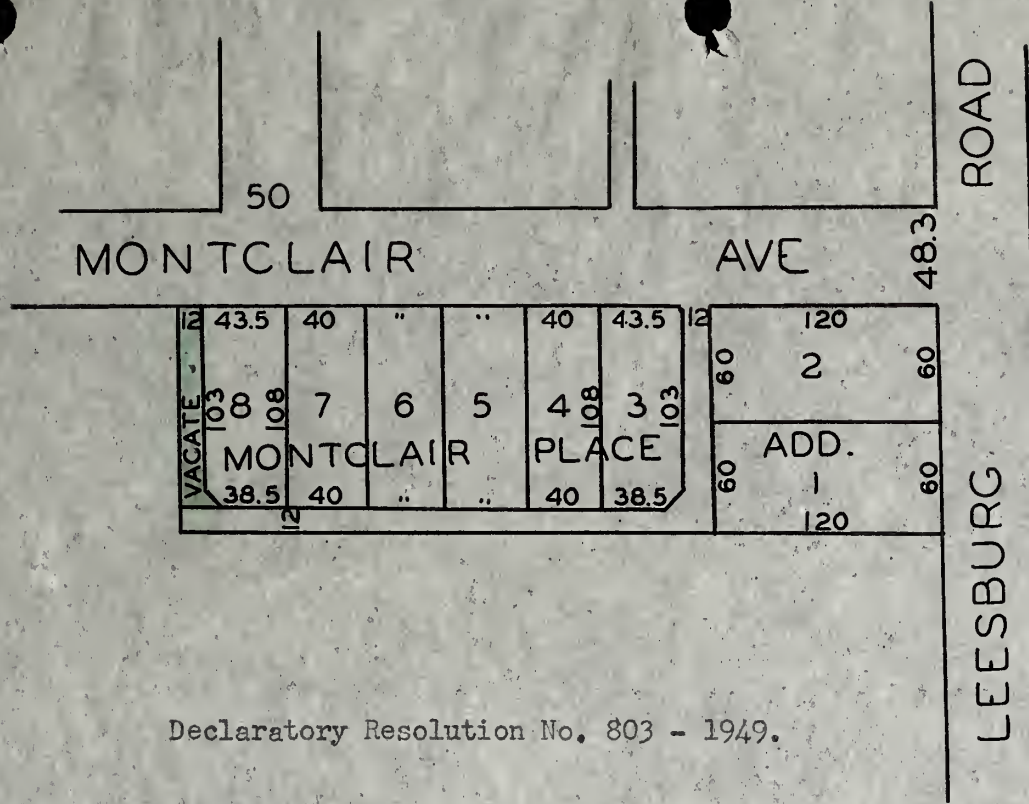
The vacation of the abovedescribed Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described alley vacation are situated in the south west quarter of Section three (3) Township thirty (30) north, range twelve (12) east and lying within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 8th DAY OF September 1949.

Attest: Joseph M. Schwartz
Secretary Board of Public Works.

Walter C. Vetter
Frank E. Decker
Chamney L. Griffith
Board of Public Works.



Declaratory Resolution No. 803 - 1949.

City Of Fort Wayne
Indiana



OFFICE OF
BOARD OF PUBLIC WORKS

July 21, 1949

FORT WAYNE, INDIANA

Mr. C. Ross Lindemuth
City Engineer
City Hall

Dear Sir:

You are hereby instructed to prepare plans and resolution for the vacation of the second alley west of Leesburg Road running from the south property line of Montclair Avenue south to the intersecting east and west alley.

Yours very truly,

Board of Public Works

Walter C. Dutton
Frank A. Desch

ATTEST: *Joseph M. Schwartz*
Secretary

JMS/vna



2101 SPY RUN AVE.
FORT WAYNE 1, INDIANA

October 5, 1949

Dec. 803

Board of Public Works
City Hall
Fort Wayne, Indiana

Attention: Mr. Joseph M. Schwartz,
Secretary

Dear Sir:

With reference to your letter of September 20th regarding improvement resolution No. 803 providing for the vacation of the second alley west of the Leesburg Road and south of Montclair Avenue as platted in Montclair Place Addition to the City of Fort Wayne, Indiana. Please be advised that this parcel of land concerned in the vacation has been deeded to Wm. H. Pelz and Mary J. Pelz of Allen County as of October 3, 1949 and recorded in Deed Record Book 419 in the records of Allen County, towit:

Being a parcel of Real Estate situated in Section three (3) Township thirty (30) North, Range twelve (12) East in the City of Fort Wayne, Allen County, Indiana, towit:

Beginning at the intersection of the south line of Montclair Avenue and the west line of a north and south alley in the west line of Montclair Place Addition to the City of Fort Wayne according to the recorded plat thereof; thence west on the south line of Montclair Avenue forty (40) feet; thence south parallel to said west line of said alley and said west line of Montclair Place addition one hundred twenty (120) feet; thence east parallel to south line of said Montclair Avenue forty (40) feet to west line of said north and south alley in said Montclair Place Addition; thence north along west line of said alley one hundred twenty (120) feet to the place of beginning, containing .11 acres more or less.

Very truly yours,

Willis R. Webb

Willis R. Webb,
Right of Way Dept.

WRW:BN

P E T I T I O N

Fort Wayne, Ind.,

7/14/49

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on _____, from

to _____

respectfully petition for the passage of a resolution providing for the vacation of the 2nd alley west of Leesburg Rd. running from the south property line of Montclair Avenue south to the intersecting east and west alley.

Name	Address	Petitioner
William Pelz	2227 1/2 Montclair St	
James Doswell	2315 Montclair	
Mrs. Emma Doswell	2215 Montclair	
Mrs. Ed. Schott	2225 Belmont St	
Edw. G. Schott	"	
Edward R. Schott	2224 Montclair	
Edw. G. Schott	"	
Arnold F. Brown	2318 Montclair St	
Mrs. Fred Lind	2218 Montclair St	
Mrs. Robert Kroll	722 Cliff Ave	
Mrs. Robert Kroll	722 Cliff Ave	
Mrs. and Mrs. Wayne Pelz	2225 Montclair	
Mrs. Elsie Warrickson	2321 Montclair	
Mrs. - Mrs. Harold Reg	709 Cliff St	
Mrs. Leola P. Lark	2221 Montclair Ave	
Mrs. Chas. E. Giffert	2219 Montclair Ave	

Petition for Passage

of a Resolution for

Creation of the second alley
west of Leesburg Road running
from the south property line
of Montclair Avenue south
to the intersecting east and
from west alley

to _____

Filed with the Board of Public Works

Plans ordered: July 21, 1949

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